

**Notice of Allowability**

Applicati n No.

10/033,167

Examin r

Jeffrey Fredman

Applicant(s)

BOTSTEIN ET AL.

Art Unit

1634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to October 27, 2003.
2. ☒ The allowed claim(s) is/are 27-34.
3. ☒ The drawings filed on 27 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☒ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

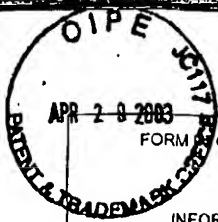
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____    | 6 <input type="checkbox"/> Examiner's Amendment/Comment                    |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input type="checkbox"/> Other   |

Jeffrey Fredman  
Primary Examiner  
Art Unit: 1634



SHEET 1 OF 2

FORM O-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. GNE 2930R1C10	APPLICATION NO. 10/033,167
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Botstein, et al.	
		FILING DATE December 27, 2001	GROUP 1656

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MAY 01 2003

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
1		WO 00/04135	01/27/00	PCT				
2		DE 198 18 620	10/28/99	Germany				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)		
3	Database EMBL 'Online! (1997-10-31) Strausberg, R.: "np74e04.s1 NCI_CGAP_Br2 Homo sapiens cDNA clone IMAGE: 1132062 3' Database accession no. AA 632131		
4	Fransen, et al., Identification of peroxisomal proteins by using M13 phage protein VI phage display: molecular evidence that mammalian peroxisomes contain a 2,4-dienoyl-CoA reductase, Biochem. J. 348:561-568 (1999)		
5	Comparison between Accession No. AAY87109 and SEQ ID NO: 23		
6	Comparison between Accession No. AAY87196 and SEQ ID NO: 23		
7	Comparison between Accession No. AA025266 and SEQ ID NO: 8		
8	Comparison between Accession No. AA024389 and SEQ ID NO: 8		
9	Comparison between Accession No. AX118905 and SEQ ID NO: 8		
10	Comparison between Accession No. CAC38526.1 and SEQ ID NO: 8		
11	Comparison between Accession No. AX070106 and SEQ ID NO: 6		
12	Comparison between Accession No. AAB40784 and SEQ ID NO: 6		
13	Comparison between Accession No. AAC74993 and SEQ ID NO: 6		

EXAMINER	DATE CONSIDERED 11/4/03
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	



FORM P-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. GNE.2930R1C10	APPLICATION NO. 10/033,167
	APPLICANT Botstein, et al.	
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EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
<i>u</i>	14 Comparison between Accession No. AI373244 and SEQ ID NO: 6
<i>u</i>	15 Comparison between Accession No. AI366107 and SEQ ID NO: 6
<i>u</i>	16 Comparison between Accession No. AR052531 and SEQ ID NO: 12
<i>u</i>	17 Comparison between Accession No. W63967 and SEQ ID NO: 12
<i>u</i>	18 Comparison between Accession No. AAZ98060 and SEQ ID NO: 23
<i>u</i>	19 Comparison between Accession No. AI08845 and SEQ ID NO: 23
<i>u</i>	20 Comparison between Accession No. AAV88653 and SEQ ID NO: 23

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PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (USE SEVERAL SHEETS IF NECESSARY)	ATTY. DOCKET NO. GNE.2930R1C10	APPLICATION NO. 10/033,167
	APPLICANT Botstein, et al.	
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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	5,831,058	11/03/98	Fujiwara et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
2		WO 98 45437 ✓	10/15/98	PCT				
3		WO 00/04140 ✓	01/27/00	PCT				
4		WO 00 58472	10/05/00	PCT				
5		WO 01/29221 ✓	04/26/01	PCT				
6		WO 01 02568 ✓	01/11/01	PCT				

EXAMINER  
INITIAL

## OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

7	Database EMBL 'Online! Entry HSA24389, 08/14/96, Hillier, L. et al., "ze74b01.r1 Soares_fetal_heart_NbHH19W Homo sapiens cDNA clone IMAGE: 364681 5', mRNA sequence." Database accession no. AA024389 XP002230500
8	Database EMBL 'Online! Entry HSA25266, 08/14/96, Hillier, L. et al., "ze74b01.s1 Soares_fetal_heart_NbHH19W Homo sapiens cDNA clone IMAGE:364681 3', mRNA sequence." Database accession no. AA025266 XP002230501
9	Database EMBL [Online] md78c02.r1 Soares mouse embryo NbME1cDNA clone (06/22/96) Marra et al., "The WashU-HHMI Mouse EST Protect" Database accession no. MM96732 XP002232923
10	Database EBI 'Online! (08/19/98) Strausberg R. "qa12e07.x1 NCI_CGAP_Brn23 Homo sapiens cDNA clone Image:1686564 3' similar to contains TAR1.b2 MSR1 repetitive element; mRNA sequence." Database accession no. AI088845 XP002226252
11	Database EMBL [Online] (01/11/99) Hillier, L. et al. "ao87d07.x1 Schiller meningioma Homo sapiens cDNA clone IMAGE:1952845 3' similar to contains element TAR1 repetitive element; mRNA sequence." Database accession no. AI366107 XP002230801
12	Database EMBL [Online] (01/13/99) Strausberg R. "qz48e01.x1 NCI-CGAP-Kid11 Homo sapiens cDNA clone IMAGE:2030136 3', mRNA sequence." Database accession no. AI373244 XP002230802
13	Klein, et al. Selection for genes encoding secreted proteins and receptors, Proc. Natl. Acad. Sci. USA 93:7108-7113 (1996)
14	Tashiro, et al., Signal sequence trap: a cloning strategy for secreted proteins and type 1 membrane proteins, Science 261:600-603 (1993)

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EXAMINER	DATE CONSIDERED
	11/14/03

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